

HOUSE BILL 33
By Sargent

AN ACT to amend Tennessee Code Annotated, Title 13,
Chapter 7, relative to zoning.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 13, Chapter 7, is amended by inserting sections 2 and 3 below as a new part thereto.

SECTION 2. Notwithstanding anything in this chapter to the contrary, every county and municipality shall require that twenty-five percent (25%) of all private dwellings that are designated for individuals fifty-five (55) years of age and older, one hundred percent (100%) of all rental dwelling units designated for individuals fifty-five (55) years of age and older shall meet the following requirements:

(1) Parking spaces outside of each private dwelling or rental dwelling unit shall be located as closely as possible to the building, but not more than one hundred (100) feet from each accessible entrance to the building, including every entrance of a multi-entrance building.

(2) All private dwellings or rental dwelling units shall meet the minimum requirements found in the American National Standards Institute 117.1, 1992 edition, sections 4.2.5.1, 4.2.5.2, 4.2.6.1, 4.2.6.2, 4.3.2.1, 4.3.3, 4.5.2.1, 4.5.2.2, 4.8.2, 4.8.3, 4.8.4, 4.8.7, 4.13.5, 4.13.8, 4.13.9, 4.17, 4.20, 4.21, and 4.22.

SECTION 3. Notwithstanding anything to the contrary, the requirements of this part shall apply only as follows:

(1) The requirements of this part shall apply only to developments proposed with a concept plan for individuals fifty-five (55) years of age or older, and not to property owners building a dwelling for personal use on their own land;

(2) The entrances to a dwelling may be from any side of the building that is served by an accessible route;

(3) Doors on closets of less than fifteen (15) square feet capacity do not have to meet the requirements of this part;

(4) Only one (1) bathroom on the main level of a dwelling is required to meet the requirements of this part;

(5) If requested by the owner, a standard height toilet may be used in lieu of a toilet meeting the requirements of this part;

(6) Thresholds in a shower stall shall be a maximum of three (3) inches;

(7) Only one (1) remote electrical control switch is required to meet the requirements of this part in a room with two (2) or more electrical light switches;

(8) Only one (1) remote communication device control is required to meet the requirements of this part in a room with two (2) or more communication device controls;
and

(9) Toilets shall be positioned with a wall or partition to the rear and to one side. Clearance around the toilet shall be a minimum of sixty (60) inches, measured perpendicularly from the side wall, and fifty-six (56) inches, measured perpendicularly from the rear wall. No other obstruction shall be within the toilet clearance. The distance from the side wall to the center of the toilet shall be a minimum of sixteen (16) inches and a maximum of eighteen (18) inches.

SECTION 4. This act shall take effect upon January 1, 2006, the public welfare requiring it.